

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ OCT 14 2005 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CAMILLE A. AVARELLO,

Plaintiff,

-against-

VICTOR NICO, et al.,

Defendants.

P.M. _____
X TIME A.M. _____

04-CV-2549 (ARR)(VVP)

NOT FOR
PUBLICATION

ORDER

X

ROSS, United States District Judge:

I have received the Report and Recommendation on the instant case dated September 18, 2005 from the Honorable Viktor V. Pohorelsky, United States Magistrate Judge. No objections have been filed. Having conducted a de novo review of the record, I hereby adopt the Report and Recommendation as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1). Accordingly, this action is dismissed.

SO ORDERED.


Allyne R. Ross
United States District Judge

Dated: October 7, 2005
Brooklyn, New York

SERVICE LIST:

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Defendant

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cc: Magistrate Judge Viktor V. Pohorelsky